



FILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Burnett Davis

Serial No: 10/603,020

For: Container Transporter

EXAMINER: GREGORY W. ADAMS

Mail Stop: Petitions
COMMISSIONER OF PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Applicant submitted petition. Applicant is providing as evidence the attached application with proof of facsimile. Additionally, applicant asked the director to review the file wrapper as additional evidence. Applicant filed RCE within the 6 month period. Applicant paid the extension fee with original response.

Respectfully submitted:



Delphine M. James

Registration No. 45,960
Delphine M. James, Attorney At Law
2656 South Loop West Suite 170
Houston, TX 77054
(713)-661-4144
(Fax) 713-661-4145



CERTIFICATE OF MAILING

I, Delphine James, hereby certify that the foregoing Petition to the Office Action
is being transmitted by United Postal Service Express Mail. E B582205130US

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BY:

Delphine James

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ATTN: *Pet/Law/Gregory Adams*
FAX: *51-273-8300*
RE: *10/6/03 020*

FROM: DELPHINE M. JAMES
DATE:
PAGES: *1*

Urgent Normal

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Burnett Davis

SERIAL NO: 10/603,020

FOR: Container Transporter

EXAMINER: Gregory W. Adams

PETITION TO WITHDRAW ABANDONMENT

This patent was unavoidably abandoned and in the alternative unintentionally abandoned.

My assistant called the office a couple of times regarding the status of this application.

Attorney James became ill and was in the hospital at the time the RCE needed to be filed.

The Monday was following a week day. Assistant, Lene Ferguson, filled in the RCE application while the Attorney was in the hospital. See Exhibit A. Attorney filed a response after final action and paid the two months extension. This response was filed with an attempt to put the case in a condition for allowance. Thus, this application was not intended to be abandoned. The Examiner filed a response to final action after the RCE was filed and applicant did not know until the case was abandoned regarding the extra fees or that the case was not put in a condition for allowance.

Respectfully submitted,

Delphine James
Registration NO. 45,960
Law Office of Delphine James, PLLC

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Houston, Texas 77004
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Exhibit A

November 3, 2006

To whom it concerns:

Atty. Delphine James was hospitalized on September 22, 2006 and underwent emergency surgery. I have followed her closely post op and her recovery is progressing well. I am releasing her to return to work without restrictions November 3, 2006.

Sincerely,
D. J. Stone
713 524 8531

Auto-Reply Facsimile Transmission



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6/8/2007 8:18:53 PM [Eastern Daylight Time]

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